

TFW

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Date: August 4, 2005 Name: Trevor K. Copeland (50,292) Signature: *Trevor K. Copeland*

BRINKS  
HOFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Gregory A. Holmes

Appln. No.: 10/713,569

Filed: November 13, 2003

For: Equipment and Methods for Manufacturing Cigarettes

Attorney Docket No: 11867/24

Examiner: N/A

Art Unit: 1731

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Information Disclosure Statement; Form PTO-1449; 8 cited references;
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

8/4/05

Respectfully submitted,

*Trevor K. Copeland*  
Trevor K. Copeland (Reg. No. 50,292)

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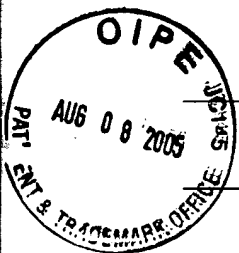
Date of Deposit

Trevor K. Copeland, Reg. No. 50,292

Name of applicant, assignee or  
Registered Representative

Signature

Date of Signature



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Gregory A. Holmes

Appln. No.: 10/713,569

Filed: November 13, 2003

For: Equipment and Methods for  
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Attorney Docket No: 11867/24

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### INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

#### U.S. Patents Documents

No.	Date of Publication	Patentee/Applicant/Assignee
1,909,924	05/16/1933	Schweitzer
1,996,002	05/25/1933	Seaman
1,999,223	04/30/1935	Weinberger
1,999,224	04/30/1935	Miles
2,013,508	09/03/1935	Seaman
2,809,640	10/15/1957	Oldenkamp
3,030,963	04/24/1962	Cohn

3,288,147	11/29/1966	Molins et al.
3,308,600	03/14/1967	Erdmann et al.
3,915,176	10/28/1975	Heitmann et al.
4,077,415	03/07/1978	Preston et al.
4,146,040	03/27/1979	Cohn
4,236,535	12/02/1980	Schmidt et al.
4,237,907	12/09/1980	Pawelko et al.
4,280,187	07/21/1981	Reuland et al.
4,281,670	08/04/1981	Heitmann et al.
4,291,713	09/29/1981	Frank
4,340,074	07/20/1982	Tudor
4,361,156	11/30/1982	Hall
4,431,010	02/14/1984	Seragnoli
4,452,259	06/05/1984	Norman et al.
4,474,190	10/02/1984	Brand
4,480,650	11/06/1984	Weinert
4,489,738	12/25/1984	Simon
4,500,770	02/19/1985	Vock et al.
4,508,525	04/02/1985	Berger
4,565,202	01/21/1986	Seragnoli et al.
4,574,816	03/11/1986	Rudszinat
4,583,558	04/22/1986	Luke
4,600,027	07/15/1986	Houck et al.
4,607,647	08/26/1986	Dashley
4,615,345	10/07/1986	Durocher
4,736,754	04/12/1988	Heitmann et al.
4,739,775	04/26/1988	Hampl, Jr. et al.
4,781,203	11/01/1988	La Hue
4,781,204	11/01/1988	Barbe et al.
4,807,809	02/28/1989	Pryor et al.
4,825,883	05/02/1989	Hinz et al.
4,827,947	05/09/1989	Hinz
4,836,224	06/06/1989	Lawson et al.
4,841,993	06/27/1989	Hinz et al.
4,844,100	07/04/1989	Holznagel
4,878,506	11/07/1989	Pinck et al.
4,889,140	12/26/1989	Lorenzen et al.
4,889,145	12/26/1989	Adams
4,920,990	05/01/1990	Lawrence et al.
4,924,888	05/15/1990	Perfetti et al.
5,012,823	05/07/1991	Keritsis et al.
5,012,829	05/07/1991	Thesing et al.
5,025,814	06/25/1991	Raker

5,056,537	10/15/1991	Brown et al.
5,060,665	10/29/1991	Heitmann
5,060,668	10/29/1991	Weinhold
5,060,675	10/29/1991	Milford et al.
5,074,320	12/24/1991	Jones, Jr. et al.
5,101,839	04/07/1992	Jakob et al.
5,105,834	04/21/1992	Saintsing et al.
5,105,838	04/21/1992	White et al.
5,156,169	10/20/1992	Holmes et al.
5,159,942	11/03/1992	Brinkley et al.
5,191,906	03/09/1993	Myracle, Jr.
5,220,930	06/22/1993	Gentry
5,261,423	11/16/1993	Gaudlitz et al.
5,263,999	11/23/1993	Baldwin et al.
5,271,419	12/21/1993	Arzonico et al.
5,360,023	11/01/1994	Blakley et al.
5,417,228	05/23/1995	Baldwin et al.
5,450,863	09/19/1995	Collins et al.
5,474,095	12/12/1995	Allen et al.
6,595,218	07/22/2003	Koller et al.
5,690,125	11/25/1997	Niemann et al.
5,715,844	02/10/1998	Young et al.
5,718,250	02/17/1998	Banerjee et al.
5,878,753	03/09/1999	Peterson et al.
5,878,754	03/09/1999	Peterson et al.
6,198,537	03/06/2001	Bokelman et al.
6,285,006 B1	09/04/2001	Hyllberg
6,526,985	03/04/2003	Dombeck
6,532,966 B1	03/18/2003	Dombeck
6,537,186	03/25/2003	Veluz
6,606,999	08/19/2003	Crooks et al.
6,360,751	03/26/2002	Fagg et al.
6,631,722 B2	10/14/2003	MacAdam et al.
6,647,878	11/18/2003	Blau et al.
6,675,811	01/13/2004	Dombeck
6,684,781	02/03/2004	Saitoh
6,725,867 B2	04/27/2004	Peterson et al.
6,758,906 B2	07/06/2004	Maiwald et al.
6,789,548 B2	09/14/2004	Bereman
6,837,248 B2	01/04/2005	Zawadzki et al.
6,854,469 B1	02/15/2005	Hancock et al.
2002/0000235 A1	01/03/2002	Shafer et al.
2002/0014453 A1	02/07/2002	Lilly, Jr. et al.

2002/0020420 A1	02/21/2002	Xue et al.
2002/0092621 A1	07/18/2002	Suzuki
2002/0166563 A1	11/14/2002	Jupe et al.
2003/0075193 A1	04/24/2003	Li et al.
2003/0131859 A1	07/17/2003	Li et al.
2003/0131860 A1	07/17/2003	Ashcraft et al.
2003/0136419 A1	07/24/2003	Muller
2003/0145866 A1	08/07/2003	Hartman
2003/0145869 A1	08/07/2003	Kitao et al.
2003/0150466 A1	08/14/2003	Kitao et al.
2003/0154993 A1	08/31/2003	Paine, III et al.
2003/0168070 A1	09/11/2003	Xue et al.
2003/0172942 A1	09/18/2003	Schlisio
2003/0205235 A1	11/06/2003	Draghetti
2004/0129281 A1	07/08/2004	Hancock et al.
2004/0231685 A1	11/25/2004	Patel et al.
2004/0255965 A1	12/23/2004	Perfetti et al.
2004/0261807 A1	12/30/2004	Dube et al.
2004/0084056 A1	05/06/2004	Lawson et al.
2005/0028832 A1	02/10/2005	Kubo et al.
2005/0076929 A1	04/14/2005	Fitzgerald et al.
2005/0103355 A1	05/19/2005	Holmes

### Foreign Patents Documents

No.	Date of Publication	Country
WO 02/44700 A1	06/06/2002	WIPO
WO 02/043513 A1	06/06/2002	WIPO

### Other Art

Bombick, et al., *Fund. Appl. Toxicol.*, 39, p 11-17 (1997)

Browne, *The Design of Cigarettes*, 3<sup>rd</sup> Ed., p. 43 (1990)

Davis, et al., *Tobacco Production, Chemistry and Technology*, (Eds.) (1999)

Gutcho, *Tobacco Flavoring Substances and Methods*, Noyes Data Corp. (1972)

Leffingwell, et al. *Tobacco Flavoring for Smoking Products* (1972)

Voges, *Tobacco Encyclopedia*, (Ed.) p 44-45 (1984)

Applicant is enclosing Form PTO-1449 (four sheets), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

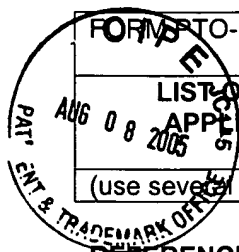
Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

Date

8/4/05

Trevor K. Copeland (Reg. No. 50,292)



FORM PTO-1449	SERIAL NO. 10/713,569	CASE NO. 11867/24
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE November 13, 2003	GROUP ART UNIT 1731
APPLICANT(S): Gregory A. Holmes		

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	1,909,924	05/16/1933	Schweitzer		
	A2	1,996,002	05/25/1933	Seaman		
	A3	1,999,223	04/30/1935	Weinberger		
	A4	1,999,224	04/30/1935	Miles		
	A5	2,013,508	09/03/1935	Seaman		
	A6	2,809,640	10/15/1957	Oldenkamp		
	A7	3,030,963	04/24/1962	Cohn		
	A8	3,288,147	11/29/1966	Molins et al.		
	A9	3,308,600	03/14/1967	Erdmann et al.		
	A10	3,915,176	10/28/1975	Heitmann et al.		
	A11	4,077,415	03/07/1978	Preston et al.		
	A12	4,146,040	03/27/1979	Cohn		
	A13	4,236,535	12/02/1980	Schmidt et al.		
	A14	4,237,907	12/09/1980	Pawelko et al.		
	A15	4,280,187	07/21/1981	Reuland et al.		
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	A19	4,361,156	11/30/1982	Hall		
	A20	4,431,010	02/14/1984	Seragnoli		
	A21	4,452,259	06/05/1984	Norman et al.		
	A22	4,474,190	10/02/1984	Brand		
	A23	4,480,650	11/06/1984	Weinert		
	A24	4,489,738	12/25/1984	Simon		
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	A26	4,508,525	04/02/1985	Berger		
	A27	4,565,202	01/21/1986	Seragnoli et al.		
	A28	4,574,816	03/11/1986	Rudszinat		
	A29	4,583,558	04/22/1986	Luke		
	A30	4,600,027	07/15/1986	Houck et al.		
	A31	4,607,647	08/26/1986	Dashley		
	A32	4,615,345	10/07/1986	Durocher		
	A33	4,736,754	04/12/1988	Heitmann et al.		
	A34	4,739,775	04/26/1988	Hampl, Jr. et al.		
	A35	4,781,203	11/01/1988	La Hue		
	A36	4,781,204	11/01/1988	Barbe et al.		
	A37	4,807,809	02/28/1989	Pryor et al.		
	A38	4,825,883	05/02/1989	Hinz et al.		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	A39	4,827,947	05/09/1989	Hinz		
	A40	4,836,224	06/06/1989	Lawson et al.		
	A41	4,841,993	06/27/1989	Hinz et al.		
	A42	4,844,100	07/04/1989	Holznagel		
	A43	4,878,506	11/07/1989	Pinck et al.		
	A44	4,889,140	12/26/1989	Lorenzen et al.		
	A45	4,889,145	12/26/1989	Adams		
	A46	4,920,990	05/01/1990	Lawrence et al.		
	A47	4,924,888	05/15/1990	Perfetti et al.		
	A48	5,012,823	05/07/1991	Keritsis et al.		
	A49	5,012,829	05/07/1991	Thesing et al.		
	A50	5,025,814	06/25/1991	Raker		
	A51	5,056,537	10/15/1991	Brown et al.		
	A52	5,060,665	10/29/1991	Heitmann		
	A53	5,060,668	10/29/1991	Weinhold		
	A54	5,060,675	10/29/1991	Milford et al.		
	A55	5,074,320	12/24/1991	Jones, Jr. et al.		
	A56	5,101,839	04/07/1992	Jakob et al.		
	A57	5,105,834	04/21/1992	Saintsing et al.		
	A58	5,105,838	04/21/1992	White et al.		
	A59	5,156,169	10/20/1992	Holmes et al.		
	A60	5,159,942	11/03/1992	Brinkley et al.		
	A61	5,191,906	03/09/1993	Myracle, Jr.		
	A62	5,220,930	06/22/1993	Gentry		
	A63	5,263,999	11/23/1993	Baldwin et al.		
	A64	5,271,419	12/21/1993	Arzonico et al.		
	A65	5,360,023	11/01/1994	Blakley et al.		
	A66	5,417,228	05/23/1995	Baldwin et al.		
	A67	5,450,863	09/19/1995	Collins et al.		
	A68	5,474,095	12/12/1995	Allen et al.		
	A69	5,690,125	11/25/1997	Niemann et al.		
	A70	5,715,844	02/10/1998	Young et al.		
	A71	5,718,250	02/17/1998	Banerjee et al.		
	A72	5,878,753	03/09/1999	Peterson et al.		
	A73	5,878,754	03/09/1999	Peterson et al.		
	A74	6,198,537	03/06/2001	Bokelman et al.		
	A75	6,285,006 B1	09/04/2001	Hyllberg		
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	A77	6,532,966 B1	03/18/2003	Dombeck		
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	A78	6,537,186	03/25/2003	Veluz		
	A79	6,595,218	07/22/2003	Koller et al.		
	A80	6,606,999	08/19/2003	Crooks et al.		
	A81	6,360,751	03/26/2002	Fagg et al.		
	A82	6,631,722 B2	10/14/2003	MacAdam et al.		
	A83	6,647,878	11/18/2003	Blau et al.		
	A84	6,675,811	01/13/2004	Dombeck		
	A85	6,684,781	02/03/2004	Saitoh		
	A86	6,725,867 B2	04/27/2004	Peterson et al.		
	A87	6,789,548 B2	09/14/2004	Bereman		
	A88	6,837,248 B2	01/04/2005	Zawadzki et al.		
	A89	6,854,469 B1	02/15/2005	Hancock et al.		
	A90	2002/0000235 A1	01/03/2002	Shafer et al.		
	A91	2002/0014453 A1	02/07/2002	Lilly, Jr. et al.		
	A92	2002/0020420 A1	02/21/2002	Xue et al.		
	A93	2002/0092621 A1	07/18/2002	Suzuki		
	A94	2002/0166563 A1	11/14/2002	Jupe et al.		
	A95	2003/0075193 A1	04/24/2003	Li et al.		
	A96	2003/0131859 A1	07/17/2003	Li et al.		
	A97	2003/0131860 A1	07/17/2003	Ashcraft et al.		
	A98	2003/0136419 A1	07/24/2003	Muller		
	A99	2003/0145866 A1	08/07/2003	Hartman		
	A100	2003/0145869 A1	08/07/2003	Kitao et al.		
	A101	2003/0150466 A1	08/14/2003	Kitao et al.		
	A102	2003/0154993 A1	08/21/2003	Paine, III et al.		
	A103	2003/0168070 A1	09/11/2003	Xue et al.		
	A104	2003/0172942 A1	09/18/2003	Schlisio		
	A105	2003/0205235 A1	11/06/2003	Draghetti		
	A106	2004/0084056 A1	05/06/2004	Lawson et al.		
	A107	2004/0129281 A1	07/08/2004	Hancock et al.		
	A108	2004/0231685 A1	11/25/2004	Patel et al.		
	A109	2004/0255965 A1	12/23/2004	Perfetti et al.		
	A110	2004/0261807 A1	12/30/2004	Dube et al.		
	A111	2005/0028832 A1	02/10/2005	Kubo et al.		
	A112	2005/0076929 A1	04/14/2005	Fitzgerald et al.		
	A113	2005/0103355 A1	05/19/2005	Holmes		

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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A114	WO 02/44700 A1	06/06/2002	WIPO		
	A115	WO 02/043513 A1	06/06/2002	WIPO		

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>					
	A116	Bombick, et al., <i>Fund. Appl. Toxicol.</i> , 39, p 11-17 (1997)				
	A117	Browne, <i>The Design of Cigarettes</i> , 3 <sup>rd</sup> Ed., p. 43 (1990)				
	A118	Davis, et al., <i>Tobacco Production, Chemistry and Technology</i> , (Eds.) (1999)				
	A119	Gutcho, <i>Tobacco Flavoring Substances and Methods</i> , Noyes Data Corp. (1972)				
	A120	Leffingwell, et al. <i>Tobacco Flavoring for Smoking Products</i> (1972)				
	A121	Voges, <i>Tobacco Encyclopedia</i> , (Ed.) p 44-45 (1984)				

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